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SENATE BILL 162

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Steven P. Neville

AN ACT

RELATING TO EMBEZZLEMENT; ALLOWING A TWELVE-MONTH AGGREGATION
OF INCIDENTS OF EMBEZZLEMENT TO DETERMINE PENALTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 30-16-8 NMSA 1978 (being Laws 1963,
Chapter 303, Section 16-7, as amended) is amended to read:

"30-16-8. EMBEZZLEMENT.--

A. Embezzlement consists of a person embezzling or
converting to the person's own use anything of value, with
which the person has been entrusted, with fraudulent intent to
deprive the owner thereof. [~~Each separate incident of
embezzlement or conversion constitutes a separate and distinct
offense.~~]

B. Whoever commits embezzlement when the value of
the thing embezzled or converted is two hundred fifty dollars

.164118.1

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 (\$250) or less in any consecutive twelve-month period is guilty
2 of a petty misdemeanor.

3 C. Whoever commits embezzlement when the value of
4 the thing embezzled or converted is over two hundred fifty
5 dollars (\$250) but not more than five hundred dollars (\$500) in
6 any consecutive twelve-month period is guilty of a misdemeanor.

7 D. Whoever commits embezzlement when the value of
8 the thing embezzled or converted is over five hundred dollars
9 (\$500) but not more than two thousand five hundred dollars
10 (\$2,500) in any consecutive twelve-month period is guilty of a
11 fourth degree felony.

12 E. Whoever commits embezzlement when the value of
13 the thing embezzled or converted is over two thousand five
14 hundred dollars (\$2,500) but not more than twenty thousand
15 dollars (\$20,000) in any consecutive twelve-month period is
16 guilty of a third degree felony.

17 F. Whoever commits embezzlement when the value of
18 the thing embezzled or converted exceeds twenty thousand
19 dollars (\$20,000) in any consecutive twelve-month period is
20 guilty of a second degree felony."

21 Section 2. EFFECTIVE DATE.--The effective date of the
22 provisions of this act is July 1, 2007.